

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

DANIEL EVERETTE HALE,

Defendant.

Criminal No. 1:19-CR-59

SUPPLEMENTAL PROTECTIVE ORDER

WHEREAS, in its May 30, 2019 discovery production, the government produced to the defense a particular classified document ("the Classified Document");

WHEREAS the government notified the defense on or about December 9, 2019, that, under Federal Rule of Criminal Procedure 16(d)(1), the defense was not entitled to receipt in discovery of the Classified Document;

WHEREAS, on December 12, 2019, a Classified Information Security Officer took possession of the Classified Document;

WHEREAS, on January 29, 2020, the United States filed a motion under Section 4 of the Classified Information Procedures Act ("CIPA");

AND WHEREAS on February 21, 2020, the defense, presuming that the Classified Document was the subject of the Government's CIPA § 4 Motion, filed an *ex parte* motion contesting what it believed was the substance of the government's CIPA Section 4 Motion filed on January 29, 2020;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT that, based on the filings of the parties and pursuant to Federal Rule of Criminal Procedure 16(d)(1) and CIPA, the government is authorized to retract the Classified Document provided to the defense on May 30, 2019.

Date: Feb 26, 2020

/s/
Liam O'Grady
United States District Judge